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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/567,521

02/06/2006

Ryuji Kitaura

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EXAMINER

DURNFORD GESZVAIN, DILLON

ART UNIT

PAPER NUMBER

2622

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DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/567,521	<b>Applicant(s)</b> KITAURA ET AL.	
	<b>Examiner</b> Dillon Durnford-Geszvain	<b>Art Unit</b> 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-10, 13 and 14 is/are rejected.
- 7) ☒ Claim(s) 4, 5, 11 and 12 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 February 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims **4, 5, 11** and **12** objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from another multiple dependant claim. See MPEP § 608.01(n). Accordingly, the claims **4, 5, 11** and **12** have not been further treated on the merits.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 6, 7, 8-10, 13, 14 are rejected under 35 U.S.C. 102(b) as being anticipate by US 2001/0033327 (Uomori).

4. As to claim **1**, Uomori teaches a stereoscopic image reproducing apparatus for reproducing a three-dimensional image based on control information (camera parameters, display size and distance information, [0041] and [0042]) for controlling a display of three-dimensional image data, comprising:

a decision means 11 for deciding based on the control information whether an amount of parallax on a display screen when the three-dimensional image data is displayed is greater than an amount of parallax on a display screen when the three-dimensional image data is displayed on a standard display apparatus ([0049] and

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abstract, note that Uomori is directed toward making sure that a 3D image can be displayed on any size display screen and takes account of the display size as a parameter and therefore the decision means 11 is judging whether the parallax needs to be higher for the given display size than for a standard display); and

an image processing means 6 for implementing an image process for changing the amount of parallax, wherein when the decision means determines that the amount of parallax will be greater, the image process by the image processing means is implemented (6 adjusts  $W_c$ , that is the left and right separation between the images to bring the image into the range where it can be viewed by a user [0061]).

5. As to claim **2**, see the rejection of claim **1** and note that Uomori further teaches the stereoscopic image reproducing apparatus according to claim **1**, wherein the image processing means includes a parallax quantity adjusting means 6 for adjusting the amount of parallax by horizontally shifting an image from a predetermined viewpoint which constitutes the three-dimensional image data ([0061]).

6. As to claim **3**, see the rejection of claim **1** or **2** and note that Uomori further teaches the stereoscopic image reproducing apparatus according to claim **1** or **2**, wherein the image processing means includes a resizing means for changing an image size of the three-dimensional image data ([0058] and note that the distance from the camera  $d_x$  can be changed and this would change the image size as an object that is

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farther from the camera would appear smaller).

7. As to claim **6**, Uomori teaches a stereoscopic image reproducing apparatus for reproducing a three-dimensional image based on control information for controlling the display of three-dimensional image data, comprising:

a decision means 11 for deciding based on the control information whether an amount of parallax on a display screen when the three-dimensional image data is displayed is a value that allows for stereoscopic vision (camera parameters, display size and distance information, [0041] and [0042]); and

a resizing means 6 for changing an image size of the three-dimensional image data ([0058]),

wherein when the decision means determines that the amount is a value that will not allow for stereoscopic vision, the enlargement and reduction ratio is limited ([0058] and note that parameters are adjusted to get an image that is suitable for displaying stereoscopically).

8. As to claim **7**, see the rejection of claim **6** and note that Uomori further teaches the stereoscopic image reproducing apparatus according to claim 6, wherein the control information contains parallax information representing an amount of parallax of the three-dimensional image data including an amount of parallax of a subject of importance ([0049]).

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9. Claims **8-10, 13** and **14** are method claims that roughly correspond to the apparatus of claims **1-3, 6** and **7** respectively and are rejected on similar grounds but directed to a method.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dillon Durnford-Geszvain whose telephone number is (571) 272-2829. The examiner can normally be reached on Monday through Friday 8 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/DDG/

6/9/2010

/David L. Ometz/

Supervisory Patent Examiner, Art Unit 2622